

REMARKS

Reconsideration of this application is respectfully requested.

Claims 1, 4, 5, 8, and 28-33 were rejected under 35 U.S.C. § 103 as being unpatentable over Stevie (US 6,119,439) in view of Baggot et al. (US 6,913,673). Claims 1-5, 8, 28-31 and 33 were rejected under 35 U.S.C. § 103 as being unpatentable over Nakaya (US 4,781,091) in view of Stevie and Baggot et al. Claims 7, 11 and 13 were alternatively rejected as unpatentable over Nakaya in view of Stevie and Baggot et al. Claim 13 was also rejected as unpatentable over Stevie in view of Baggot et al. Claims 14 and 15 were rejected as being unpatentable over Nakaya in view of Stevie, Baggot et al. and Ohara (US 5695105).

Claim 1 is amended to recite that the cutting portions are oriented perpendicular to a surface of the rotary die cutting cylinder, and the stepped regions are not sharpened, so that a cutting depth of the stepped regions ranges from zero to one half of a thickness of said insulation, and the rotary die cutting cylinder is capable of compressing said insulation, so that a single one of the at least one cutting rule is capable of completely severing a plurality of different insulation materials having a range of thicknesses. In one non-limiting example described in the specification, a 1-1/2 inch cutting rule can be used for an R13 (4 inch) fiber glass product and an R19 product (6 to 7 inches) due to the ability of the rotary die cutting cylinder to compress the insulation products. Support for the amendments is provided in paragraphs [0034] and [0035] and in figures 2-5, which show the perpendicular orientation of the perfining blades. No new matter is added. The prior art of record neither discloses nor suggests this combination of features.

The Action admits that Nakaya fails to disclose a perfining rule that partially cuts through the insulation. Stevie was cited for showing a rotary cutting cylinder having a cutting rule and a perfining rule. The action admits that the combination of Nakaya and Stevie fails to disclose that the perfining rule has a plurality of unstepped regions comprising rectangular cutting portions along an edge with stepped regions comprising rectangular slots. Baggot et al. was cited for having a perfining rule with an edge. However, Baggot's chamfered perfining portions are not

cutting portions and are not oriented perpendicular to the rotary die cutting cylinder (See FIGS. 14A-14D), and Baggot does not operate by compressing insulation so that a cutting depth of the stepped regions ranges from zero to one half of a thickness of said insulation. and a single one of the at least one cutting rule is capable of completely severing a plurality of different insulation materials having a range of thicknesses.

Baggot does not teach that a rotary die cylinder compresses the insulation so that a single cutting rule can be used for completely severing different insulation materials having a range of thicknesses. Although Baggot discloses a perforating blade, Baggot's perfining rule is specifically angled and has a chamfered surface that applies pressure to the paper in an embossing process. Baggot specifically points out that the blade's purpose is to perforate multi-ply paper products and does this through the process of creating pressures sufficient to cause inter-fiber BONDING to occur around the perforations (see column 10, lines 28 through 42). This is a fundamentally different purpose and process than the cutting or perforating of thermal insulation blanket or insulation batt material, which is not being bonded together by the perforation process. On the contrary, inter-fiber bonding would be a detriment to the perforating process for a thermal insulation blanket or insulation batt material, which creates locations of weakness in the material (e.g., fiber glass) for separation rather than a location of strength.

Additionally, claim 1 is directed to apparatus for manufacturing thermal insulation blanket or insulation batt material. The action alleges that Stevie (6,119,439) discloses an apparatus capable of manufacturing insulation. However, Stevie merely teaches manufacture of heat-seal pouches, not thermal insulation blanket or batt material.

The action further alleges that Nakaya (4,781,901) discloses an apparatus capable of manufacturing insulation. However, Nakaya merely teaches processing of thin veneers, not insulation, much less thermal insulation blanket or batt material.

Similarly, neither Baggot (6,913,673) nor Ohara (5,695,105) deal with thermal insulation blanket or batt material. Baggot deals with pulp fibers (i.e., paper), whereas Applicant's claimed apparatus is a thermal insulation processing apparatus. Baggot also claims paper products where the bonding areas are 0.02 to 0.06 inches deep (Claims 17 and 34), whereas Applicants' claimed apparatus is configured for manufacturing thermal insulation blanket or insulation batt material products well outside the range disclosed by Baggot. For example, insulation blanket

and insulation batt material is typically manufactured in thicknesses between 2 and 12 inches. With a cutting depth in the stepped regions from 0 to $\frac{1}{2}$ of this thickness (i.e., an uncut thickness from $\frac{1}{2}$ to 100% of the thickness), the claimed apparatus would have an uncut thickness in the stepped regions of 1" to 12".

Ohara was only cited with respect to some of the dependent claims for teaching a tearing mechanism. Even if Stevie, Nakaya, Baggot and Ohara are combined, the result would not be the features of claim 1 as discussed above.

The remaining claims were rejected over various combinations of Stevie, Nakaya, Baggot and/or Ohara. However, none of the references, taken alone or in combination, discloses or suggests the features of claim 1, as discussed above.

The features of claim 33 have been incorporated into claim 1, and claim 33 is canceled without prejudice.

New claim 34 requires that the insulation blanket or insulation batt material is fiber glass having a thickness from 4 to 7 inches, the cutting blade has a 1.5 inch depth for cutting insulation blanket or insulation batt material and the stepped regions of the perfining blade have a step height of approximately 0.125 inch to 1 inch. None of the cited references, taken alone or in combination teach an apparatus with a blade configuration as claimed in claim 34, suitable for cutting and perforating an insulation material as claimed. As noted above, Baggot is the only reference of the four references relied upon that teaches a perfining blade with rectangular stepped and unstepped regions. Nevertheless, Baggot's perfining blade is oriented at an angle with respect to the cylinder (See FIGS. 14A-14D), so that the chamfered surfaces can confront and apply embossing pressure to the paper material. Baggot's perfining blade would be particularly unsuited to perforating 4 to 7 inch fiber glass insulation blanket or batt material, and one of ordinary skill in the art, confronted with the problem of perforating insulation, would not have looked to Baggot alone or in combination with the other cited references.

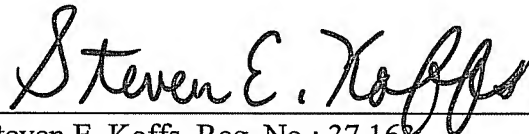
Appl. No. 10/763,873
Reply to Office Action dated 9/25/06
Amendment dated December 21, 2006

In view of the foregoing amendments and remarks, Applicant submits that this application is in condition for examination.

The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account **04-1679**.

Respectfully submitted,

Dated: December 21, 2006

A handwritten signature in dark ink, reading "Steven E. Koffs", written over a horizontal line.

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